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ABSTRACT

Data resulting from staff interviews and a student questionnaire on assessment of class participation in the University of New South Wales Law School is presented and discussed. Courses at the law school are based on the discussion method of teaching, and evaluation of class discussion has become an important assessment procedure. Twelve of the law school's 59 professors were interviewed. The questionnaire was completed by 390 students, representing 37 percent of the enrolled students. Major reasons given by the professors for assessing class participation, procedures used in the assessment, and problems encountered by the professors in assessing class participation are presented and analyzed. Student opinions with regard to whether class participation should be assessed, the undesirable effects of the assessment, and methods to be used for assessment of class participation are presented and discussed. In general, both staff and students agreed that class participation should be assessed, although most lecturers stated that this form of assessment should not be compulsory for all courses and classes. A copy of the student questionnaire is appended. (SC)

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THE ASSESSMENT OF CLASS PARTICIPATION IN THE UNIVERSITY OF NEW SOUTH WALES LAW SCHOOL

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HE 011 634

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Tertiary Education Research Centre
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INTRODUCTION

Assessment of group discussion is not a new evaluation device. It was used during World War II by German military psychologists, who claimed group discussion brought out leadership potential.

> The form of defence and attack; the striving for objectivity, for conciliation or for compromise solutions; a sense of humour and the lack of it; shyness and rudeness; in short almost all form of behaviour in social situations can become manifest in this procedure.(1)

Today assessment of group discussion is used to assess leadership potential by the armed services, federal and state civil service examiners, and by industrial and business firms.(2)

Evaluation of group discussion is also being introduced into universities as an assessment device. At the University of New South Wales Law School, evaluation of class discussion has become an important assessment procedure. Courses at this Law School are based on the discussion method of teaching where students are encouraged to take an active role in the classroom.

> It was thought that there was an educational advantage in a system which encouraged students to think for themselves, formulate ideas and develop skills in argument. The alternative form of teaching most familiar to the staff, namely lectures (sometimes supplemented by tutorials) was seen as an inadequate way of helping students develop these skills.(3)

To facilitate class discussion, the assessment of students' participation was introduced. The allocation of marks for participation in class, emphasizes the importance of the classroom as a source of learning and development of oral skills. It motivates students to prepare for classes, and encourages students to contribute to discussion.

This paper presents data (with some analysis) resulting from staff interviews and a student questionnaire on assessment of class participation (A.C.P.) in the University of New South Wales Law School.

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1. W. Hopkins (1971) "Assessing Students' Behaviour in Group Discussion", Research in Education, No. 5, p. 35-51.

2. Ibid. p. 36.

3. R. Chisolm (1975) 'Assessing Class Performance'. In D. Connor and C. Wiemako eds. The Assessment of Students. Resource Document No. 3. Sydney: Tertiary Education Research Centre, University of New South Wales, p. 19.

PROCEDURE

Twelve lecturers were interviewed in June, 1976, to establish the range of procedures used by members of staff, and to elicit staff opinion on the advantages and disadvantages of assessing C.P. All interviews were taped. Comments from lecturers have been content-analysed.

To ascertain student opinion a questionnaire was administered in August 1976 to a stratified sample of students enrolled in the Faculty. The questionnaire (see Appendix II) was of the forced-choice type and was completed anonymously. Any comments which a student wished to add could be written at the back of the questionnaire. Where a substantial number of students made similar remarks, or criticisms, these are mentioned in the report.

It should be borne in mind throughout that the data obtained from students consists entirely of opinion statements: no attempt was made to obtain independent measures of anxiety levels or participation rates.

CHARACTERISTICS OF SAMPLE

Lecturers

Of the 59 teaching staff in the Law School a sample of 12 lecturers was selected to ensure that a range of opinions was canvassed. One of the interviewed lecturers did not assess C.P. but his comments on the advantages and disadvantages of A.C.P. are included in this paper.

Students

Three hundred and ninety students completed the questionnaire. This represents 37% of the total enrolment in the Law Faculty (see Table 1).

TABLE 1 - COMPOSITION OF STUDENT SAMPLE

YEAR	NUMBER OF STUDENTS IN YEAR	NUMBER OF STUDENTS SAMPLED	PERCENTAGE SAMPLED
1	273	100	36.6
2	225	81	36.0
3	223	96	43.1
4	183	57	31.2
5	147	56	36.7
TOTAL	1051	390	37.1

RESULTS FROM INTERVIEWS OF LECTURERS

LECTURERS' REASONS FOR ASSESSING CLASS PARTICIPATION

Five reassons were given for assessing C.P.:

1. There is a need for a variety of assessment methods (N = 5)*
2. To encourage students to prepare for classes (N = 4)
3. To reward students for effort put into preparation for classes (N = 3)
4. To develop skills required by the lawyer (N = 2)
5. Asked to do so by colleagues (N = 1)

Each of these will now be considered in greater detail:

1. Five lecturers suggested that it was necessary to have a variety of assessment methods in order to cater for differences in student ability. They realized that some students excell in written expression, while others are better at oral communication and that it was therefore desirable to assess both written and oral work.

2. Another justification for A.C.P. was that it encouraged student preparation. The lecturer who did not assess C.P. also agreed that this was an advantage:
'It does ensure that they are more prepared for classes.....My students have told me that they give my classes rather low priority because they are being assessed in other classes. I am therefore forced to lecture 70% to 80% of the time.'
Although he agreed that A.C.P. made students prepare for classes, he felt that it was a 'terrorist' tactic.
'Is it valid to force students to prepare.....I take the view that they are mature people and if they decide not to study, then it is their own business.'

3. Three lecturers commented that student preparation for classes often required an enormous amount of work. They believed, therefore, that students should be rewarded for their efforts by having marks allotted for class participation. However, students' comments indicate that thorough preparation was not always 'rewarded' (refer page 15).

4. It was argued by two lecturers that oral skills were important to lawyers and that verbal participation should therefore be encouraged in class. They believed that A.C.P. stimulated this form of participation.

* N refers to the number of lecturers.

Three lecturers were unconvinced by this argument. They claimed that there were many areas in the law profession which did not require verbal agility and if students were interested in becoming barristers, for example, they could develop their public speaking skills without an assessment system.

One lecturer commented that oral competence was of secondary importance. He felt that the ability to write well was fundamental to success as a lawyer. 'It is unrealistic to think that we can teach everything in Law School. We should concentrate more on the academic side of things. It is so important that they should write well, and if they have a natural ability, so much the better, but they should not be given any marks for it.'

5. One lecturer had agreed to assess C.P., but claimed that if it were solely his decision he would abandon this form of assessment.

PROCEDURES USED BY LECTURERS TO ASSESS CLASS PARTICIPATION

The lecturers interviewed can be divided into two groups:
Those who assessed
(a) spontaneous contributions (SPON) only N = 5
and those who assessed
(b) spontaneous contributions (SPON) plus specially prepared contributions for which students had advance notice (PREP) N = 6

(a) Lecturers who assessed - SPON

Within this group a further three subdivisions emerged and these will now be discussed.

1. Two lecturers determined student marks at the end of the Session from an overall recollection of student performance. Both lecturers agreed that this method was highly subjective and they realized the possibilities of hidden biases.

Although it was subjective they felt that their marking system, unlike more formal A.C.P. methods, did not interfere with the 'free-flow' of class discussion. Students were not under pressure to perform and teachers were not distracted by assessment devices.

'When I try to formalize assessment of class participation it interferes with what I'm trying to do in the class...it is an added detriment without having any advantages.'

2. The second group of two lecturers recorded comments or marks at the end of each class. They claimed that this recording method did not interfere with class activities and greatly assisted in the determination of students' grades at the end of the Session.

Both lecturers avoided directing questions to individuals so that student anxiety would be minimal. With this assessment method, however, the quieter members of class had few marks recorded for class participation by the end of the Session so, as a last resort, these lecturers were forced to direct questions at particular students.

3. Another lecturer, although recording marks after each class, made a point of directing questions at individuals during class. Since this was done in such a way as to avoid an impression of "cross examination" student anxiety was thought to be kept at a minimum.

It was suggested that the major advantage of this system was that it provided a continuous record for individual students throughout the year.

(b) Lecturers who assessed - both SPON and PREP.

These lecturers assessed spontaneous contributions as well as those which had been prepared in advance. 'PREP' students were expected to lead discussion and answer any questions pertaining to the topic. Only one lecturer gave his students a choice of topic and date of presentation.

These lecturers believed that nominating individual students to prepare a particular topic gave the quieter students a chance to participate. Assessing spontaneous contributions as well was thought to motivate students to prepare for and participate in every class.

One lecturer, however, found that students who were not asked for 'specific effort', tended to relax and not prepare fully. It is interesting to note that this particular lecturer only allotted one third of the C.P. marks to spontaneous contributions. The remaining five lecturers allocated at least 50% to SPON. This suggests that if students are to be encouraged to participate at least half of the class participation marks should be apportioned to spontaneous contributions.

All six lecturers recorded comments after each class. Some complained that this was extremely time consuming, while others experienced problems in trying to recall the contributions made by individual students. Making notes during class, however, was thought to be too great a distraction

for both teacher and student. One of the lecturers disagreed with this. As well as recording after class, he also made notes during discussion. He claimed that recording during class did not interfere with his teaching, and it did not seem to make students anxious. The only real problem he experienced was trying to record in a fast moving discussion, i.e., participating in the discussion as well as acting as an objective observer.

MARKS FOR CLASS PARTICIPATION

All lecturers interviewed indicated that few students obtained a failing A.C.P. mark. Some commented that it was very difficult for students to fail in their classes: '...it is impossible, unless they actually don't come'.

One lecturer complained that students were passing on A.C.P. simply because they attended classes: '...you don't get 50% for handing in an exam paper with your name on it, so why give marks for attendance?'. He felt that the 'standard of the Law School' was being lowered, because it was so easy to pass.

Some lecturers claimed that C.P. marks were 'always artificially high'. They felt that lecturers were lenient in their marking because of their uncertainty in assessing it properly, as one lecturer commented:

'I only failed a few, but I would have failed more if I felt more comfortable

ANALYSIS OF RESULTS FOR LEGAL SYSTEM, SESSION I, 1976*

Class participation marks for Legal System are significantly higher than results for other forms of assessment. (See Appendix I, Figure I and Table I.) It is obvious that there are notable differences between C.P. and final Legal System marks for Baker's and Salter's classes but not Baldwin's. (Refer Appendix I, Tables 2,3,4.) It is interesting to note that Salter and Baker based their assessment on a series of mental impressions, while Baldwin used a written guide and recorded marks for a student's performance during the Session. This may account for the greater consistency of Baldwin's judgements.

On further analysis discrepancies were found between the lecturers' allocation of C.P. marks. All three results have similar means (see Appendix I, Table 5), but the variance for each group of marks differ significantly e.g. Baker's results cluster around the credit level, while marks in Salter's classes are more dispersed. This implies that students in Baker's class will receive a credit, unless they are exceptionally good or bad, while Salter's are exposed to a more rigorous assessment.

* The analysis is of marks given by three of the five lecturers teaching Legal System. Fictitious names have been substituted for the names of the lecturers.

PROBLEMS ENCOUNTERED BY LECTURERS IN ASSESSING CLASS PARTICIPATION

TABLE 2 - PROBLEMS EXPERIENCED BY STAFF IN ASSESSING CLASS PARTICIPATION

PROBLEM	NUMBER OF LECTURERS
1. Difficult to assess C.P.	11
2. Encourages some students to overparticipate	3
3. Causes student anxiety	2

Lecturers encountered three major problems in assessing C.P.

1. The subjective nature of A.C.P. made it difficult for lecturers to establish objective and consistent criteria on which to base their appraisal.

' ...to take into account all the intelligent comments, stupid comments and jokes over a few months and then try to use all that to come up with a mark of 14/20, just seems unrealistic.'

This difficulty is illustrated by the lecturers' acknowledgement that an individual's personality often obstructs objective assessment of the students' preparation, expressive abilities and background knowledge. As expressed by one lecturer:

'80% of the students know the same amount of work. The reason why half of them do well and the other half do not is because they are able to "bamboozle" you a little. It's a case of what you know fitting into what is asked.'

In the larger classes, containing 38 or more students, lecturers had greater difficulty with A.C.P.

'There are difficulties with assessing class participation anyway, but when you start teaching with very large classes it is even worse.'

Problems resulting from group dynamics added to the burden of assessment. One lecturer, for example, explained that it was difficult to generate class discussion, 'let alone assess it'. Some of the lecturers concluded that A.C.P. should be abandoned in the larger groups.

2. Three lecturers claimed that A.C.P. encouraged some students to 'overparticipate'. These students tended to repeat arguments that had already been made and to introduce irrelevant points. Lecturers complained

that these students often slowed down the pace of the class.

3. A.C.P. was thought to cause student anxiety. It placed individuals under pressure and threat and thus prevented students from participating to their full potential.

STUDENT OPINIONS

DO STUDENTS WANT TO BE ASSESSED FOR CLASS PARTICIPATION?

Q. 18 - There should be no assessment of a student's performance in class (N = 385)	strongly agree	agree	disagree	strongly disagree
	10.8%	13.3%	50.3%	24.4%

From the responses to question 18 it can be seen that the majority of students (75%) agreed that there should be some form of C.P. assessment. The tables below indicate that a large proportion of those students who claimed to be the most talkative and whose marks for C.P. were above average, prefer this form of assessment.

TABLE 3 - Cross Tabulation: Self-estimate of students' class participation marks by their views on being assessed.

	Number of Students	Number of Students who disagreed with Q. 18.*	% of students who disagreed with Q. 18.
My marks were very high	25	24	96
My marks were above average	102	88	86
My marks were average	184	129	70
My marks were below average	49	29	59

* This represents those students who disagreed or strongly disagreed with Q. 18.

TABLE 4 - Cross Tabulation: Self-estimate of student rate of participation by their views on being assessed.

	Number of students	Number of students who disagreed with Q. 18 *	% of students who disagreed with Q. 18.
I am usually one of the most talkative	42	40	95
I participate as much as most people	160	130	81
I participate less than most people	100	73	73
I am one of the least talkative	83	46	55

Analysis of the questionnaire responses and student comments indicates that those students who disagreed with question 18 did so for three major reasons.

Of those who disagreed with Q. 18:

(i) Seventy-two percent felt that A.C.P. encouraged student participation in class. Some claimed that this form of assessment was instrumental in the development of their skills in verbal expression: 'The assessment of class participation has improved my public speaking and removed some barriers, so I am grateful for it'.

Other students considered participation in class as an essential part of training to be a lawyer.

'Class performance leads one into the swing of legal things. It's no good to be able to write well if one cannot communicate effectively to one's client or to the judge. Class Performance gives one training in talking about legal concepts. It is a must!'

One student saw C.P. as important to the training of the lawyer but felt that this training could be achieved without an assessment system.

'Law students should be trained to perform on their feet, in the way they will be expected to in practice but use of class performance assessment is possibly the worst way to do so.'

(ii) Sixty-four percent agreed that marks for C.P. were a fairly good indication of student performance in class. This would be expected seeing that the majority of students who wanted C.P. assessment, claimed average or above average marks.

* This represents those students who disagreed or strongly disagreed with Q. 18.

(iii) Forty-three percent agreed that it provided 'an easy way of picking up marks'.

One should also note that four students commented that they feared that the abandonment of A.C.P. would result in a more lecture-oriented style of teaching. They saw this as being undesirable since it would lead to larger classes, less student/lecturer contact and little class discussion. All four students claimed that they disliked being assessed for C.P. but were willing 'to put up with it' for the benefits that came along with this form of assessment.

'I don't like class performance (i.e. speaking out). It is not my nature. I am willing to endure it for those benefits (small classes, being able to ask questions, being able to hear others views etc.).'

THE UNDESIRABLE EFFECTS OF ASSESSMENT OF CLASS PARTICIPATION

Students indicated that there are four major disadvantages resulting from A.C.P.

I It disadvantages some students

Seventy-three percent agreed that those who are inexperienced at public speaking are disadvantaged in being assessed for C.P. It is not surprising, therefore, that 88% agreed that public speaking courses should be made available for Law Students.

Students' comments also suggest that shy and reticent individuals are disadvantaged by this form of assessment.

> I believe class participation to be an extremely unfair mode of assessment, as it gives too great an advantage to the naturally talkative and too great a disadvantage to the quieter student.
>
> ARTS/LAW, YEAR 2

> I strongly feel that compulsory assessment seriously prejudices students who are not talkative and students, like me, who have a psychological problem in relation to speaking in the presence of a large group are even at a greater disadvantage.
>
> COMMERCE/LAW, YEAR 1

> It penalizes people who know the work and are keen to learn it, yet are too shy to speak up in class....silence does not necessarily mean that they don't understand the work.
>
> ARTS/LAW, YEAR 2

II It creates student anxiety

Q. 13 Assessment of class participation makes me feel anxious in class. (N = 389)	strongly agree	agree	disagree	strongly disagree
	16.7%	33.3%	34.6%	14.4%

Half the students sampled admitted that A.C.P. makes them feel anxious in class. A significantly larger proportion of female students claimed to experience anxiety compared with males. (X^2 = 12.2, d.f. 1, $p < .05$: see also Table 5) One notes with interest that no discrepancy existed between first year students and final year students (see Table 6).

TABLE 5 - Percentage of students who agree or strongly agree with Question 13.

SEX	% AGREE	% STRONGLY AGREE	TOTAL
MALE (N = 264)	31.1	12.5	43.6
FEMALE (N = 125)	37.6	25.6	63.2

TABLE 6 - Percentage of students who agree or strongly agree with Question 13.

YEAR	NUMBER OF STUDENTS	% AGREE	% STRONGLY AGREE	TOTAL
1	100	29.0	16.0	45.0 *
2	81	35.8	16.0	51.8
3	96	35.4	12.5	47.9
4	57	31.6	21.1	52.7
5	56	35.7	21.4	57.1

* The difference between first year and fifth year students is not statistically significant.

It should be noted that there is no significant difference in anxiety level between graduate and non-graduate students, and between students enrolled in the various degree programmes offered by the Faculty of Law.

Half of the students sampled are experiencing anxiety due to A.C.P., and therefore it is important to consider the nature of this anxiety. Anxiety due to A.C.P. may be seen as desirable in that it could promote participation and ensure high quality contributions to class discussion. The results of the survey, however, do not support this. As can be seen from Figure 1, an increase in student participation corresponds inversely with anxiety level. From Figure 2, an increase in C.P. marks also corresponds inversely with anxiety level. Therefore it is not the 'high achievers' who are experiencing feelings of anxiety but rather those individuals whose marks and rates of participation are below average.

Students' comments indicate that reticent individuals are suffering from feelings of anxiety due to A.C.P.

'Reticent and shy students...feel forced to participate in class...They feel anxious at what they say and this often prejudices their manner of presentation.'

COMMERCE/LAW YEAR 3

'I think assessment of class participation is something which forces things out on people who have withdrawing personalities. The self-conscious feeling flusters and panics them...

ARTS/LAW 2

It appears that personality factors such as shyness make participation difficult for some students. Because A.C.P. necessitates participation, feelings of tension and anxiety result for these more reticent individuals.

FIGURE 1 - LEVEL OF PARTICIPATION VERSUS ANXIETY LEVEL

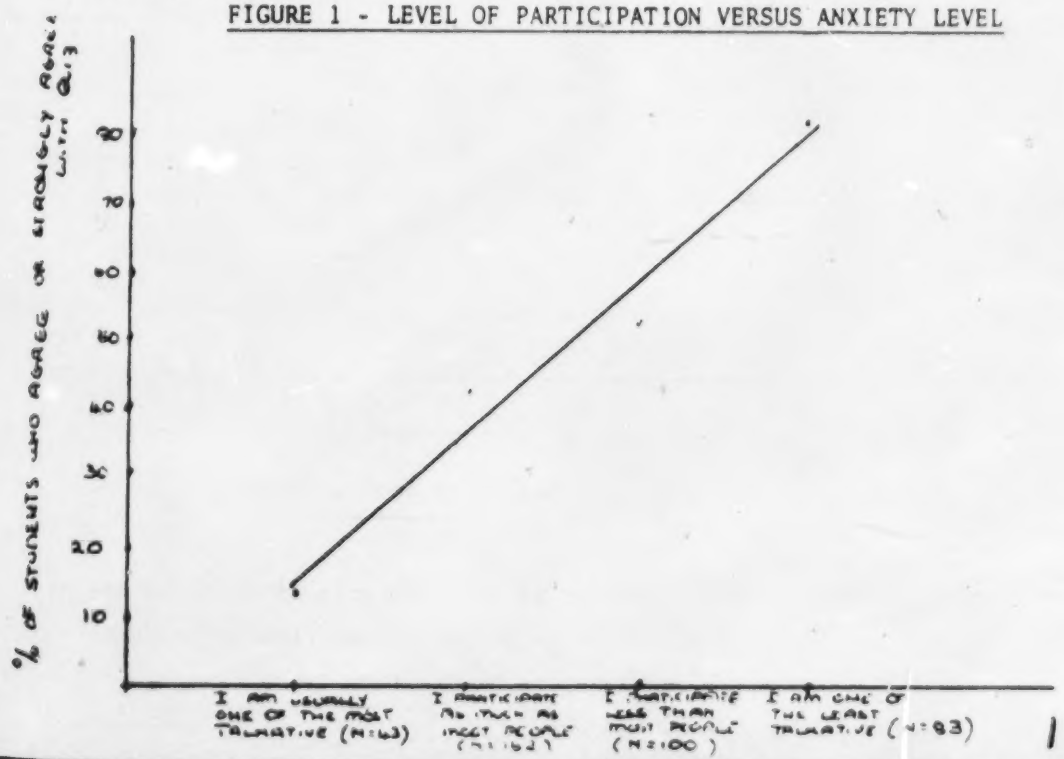
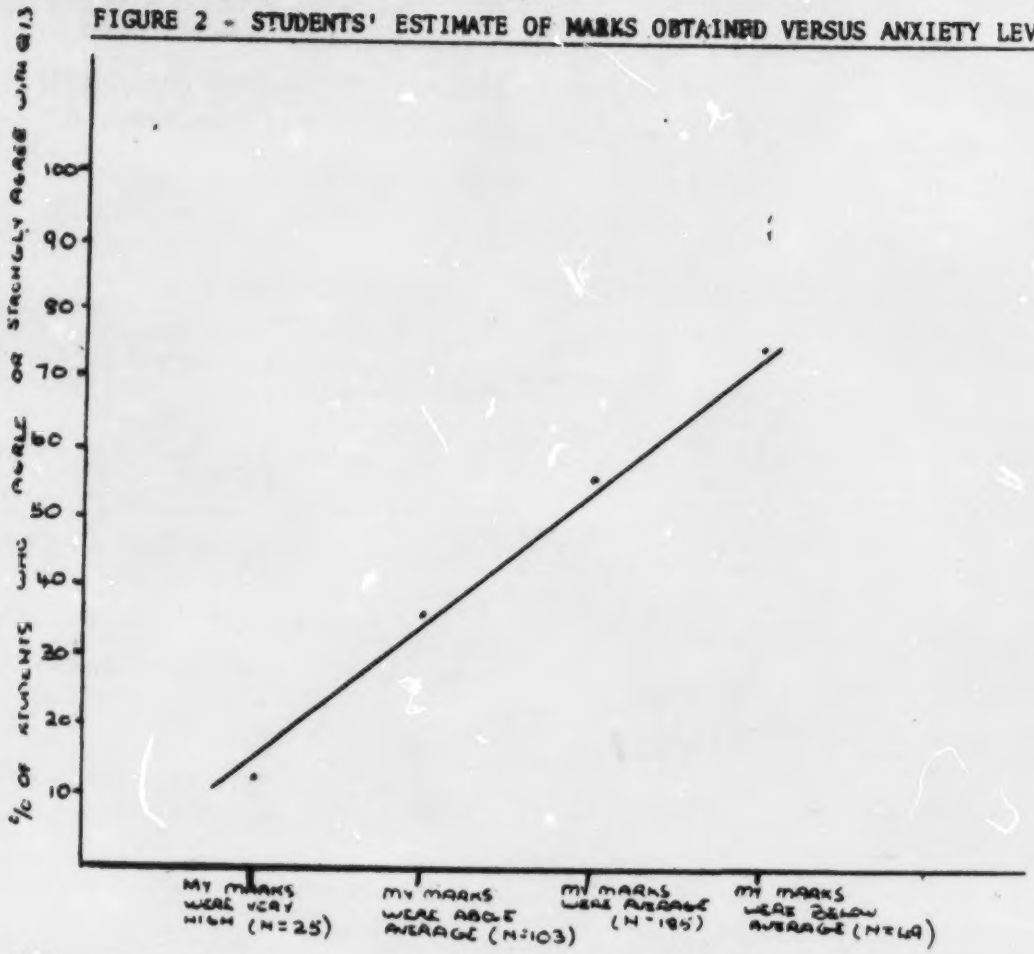


FIGURE 2 - STUDENTS' ESTIMATE OF MARKS OBTAINED VERSUS ANXIETY LEVEL



III It encourages 'over-participation'.

The majority of students (63%) agreed that A.C.P. encourages participation. Of course, increase in participation due to the incentive of assessment can be desirable. Contrary to this, however, students commented that this encouragement was having deleterious effects.

> ...class performance assessment does seem to provide an incentive for lots of people to make numerous senseless comments - i.e. better to say something rather than nothing. In some classes this tends to really slow down the rate at which we get through the materials.
>
> ARTS/LAW, YEAR 3

> Class participation sometimes operates negatively...it causes some people to make inane remarks or to repeat what others have said, solely to gain marks.
>
> COMMERCE/LAW, YEAR 4

> Class performance encourages a few people to talk at length often from a position of ignorance...the quality of their contribution is often abysmal.
>
> BACHELOR OF LAW, YEAR 1

It is interesting to note that most students who commented about student 'overparticipation' claimed to participate less than most people. Their comments, therefore, could be a reflection of their own personal difficulties in joining in class discussion.

IV It tends to be unfairly assessed.

	strongly agree	agree	disagree	strongly disagree
Q.8 Marks given for class performance are usually a fairly good indication of how a student performs in class.	5.4%	50.3%	31.0%	12.3%

Although 57% of students felt that marks given for C.P. were a fairly good indication of students' performance in class, a significant number (43%) disagreed with question 8.

What are the characteristics of the students who felt that C.P. was not accurately assessed?

- A larger proportion of students who claimed average to below average marks for C.P. disagreed with Question 8. (See Table 7)
- Most of the students who preferred 'to sit and listen rather than participate in class'*, disagreed with Question 8.
- A larger proportion of those who claimed to be least talkative disagreed with Question 8. (See Table 8)

TABLE 7 - Relation between Performance and Opinions on Accuracy of A.C.P.

	Number of students	Number of students who disagreed with Q. 8.	Percentage of students who disagreed with Q. 8.
My marks were very high	25	2	8.0
My marks were above average	102	37	36.3
My marks were average	184	91	49.5
My marks were below average	49	30	61.2

* Refer Appendix II, Q. 12.

TABLE 8 - Relation between Perceived Quantity of Participation and A.C.P.

	Number of students	Number of students who disagreed with Q. 8.	Percentage of students who disagreed with Q. 8.
I am usually one of the most talkative	42	10	23.8
I participate as much as most people	160	64	40.0
I participate less than most people	100	47	47.0
I am one of the least talkative	83	47	56.6

It is obvious, and no doubt understandable, that most of the students who performed poorly in A.C.P. felt that class participation was unfairly assessed. Students' comments also suggest that a lecturer's appraisal of a student's participation is not always accurate and fair.

> One feels that one is being assessed for personality or for the teachers interaction with the student. Only the most mature teachers are capable of objective assessment.
>
> ARTS/LAW, YEAR 3

> Class performance seems to be the most inconsistently judged aspect of most courses and this tends to become distressing, as well as making C.P. still more useless - personality enters far too much into evaluation.
>
> BACHELOR OF LAW, Year 1

A number of students complained that not enough emphasis was placed on student preparation.

> In only one of three subjects was there a rigorous attempt to assess students systematically on prepared work.
>
> ARTS/LAW, YEAR 1

> The main problem is the huge amount of time spent in preparing for class. There is not the opportunity of getting a relative amount of marks.
>
> COMMERCE/LAW, YEAR 3

> I resent having to prepare and sit in class and those that gabble on getting marks for their spontaneous expression of what usually is a regurgitation of the materials.
>
> ARTS/LAW, YEAR 5

Some students commented that the accuracy and fairness of A.C.P. varied from one lecturer to another.

> The value of C.P. as an indicator of a student's progress increases with educational skills of a teacher.
>
> BACHELOR OF LAW, YEAR 1

> ...some lecturers are more astute than others in assessing knowledge of individual students.
>
> BACHELOR OF LAWS, YEAR III

HOW DO STUDENTS WANT TO BE ASSESSED FOR CLASS PARTICIPATION?

I Seventy percent of students agreed that more emphasis should be placed on quality of participation rather than on its frequency. Lecturers also stressed the importance of quality and most agreed that the frequency of a student's participation was of secondary importance. Results of this investigation indicate however, that verbosity (as perceived by students) and high C.P. marks are positively correlated i.e. a talkative student is more likely to receive a higher C.P. mark than a reticent student. (Refer Figures 3 and 4)

Of course it is quite possible that those who claim to be the most verbal are also producing quality contributions. Comments from students, however, indicate that this is not always the situation.

> ...the ramblers, summarisers, obvious point makers, pesty chatter boxes etc., etc., generally score well for nothing.
>
> ARTS/LAW, YEAR 4

> More emphasis should be placed on the quality of an answer or comment - otherwise irrelevant interjections are encouraged and they tend to hold up classes and their running.
>
> COMMERCE/LAW, YEAR 3

II The majority of students (at least 83%) wanted assessment of 'PREP' to be included in A.C.P. (see table below).

Q. 24	PERCENTAGE OF STUDENTS
A. More weighting should be given to 'spon' than to 'prep'	15
B. More weighting should be given to 'prep' than to 'spon'	34
C. Equal weighting should be given to 'spon' and 'prep'	49

A number of students commented that classes were often dominated by a few individuals and that it was very difficult for the 'less extroverted' student to enter discussion. As one student stated:

> In classes in which I have participated, the discussion seems to be generated by the same few aggressive people everytime, and it is difficult for the average student to break into a heated discussion.
>
> BACHELOR OF LAW, YEAR 1

Students suggested that classes should include assessment of specially prepared contributions for which students had advance notice (PREP), so that the less vocal and confident members of a class had a chance to participate.

> If class performance must be assessed then I think it should not be merely a matter of having to force your way into a discussion which is being dominated by the same students. Students like me who are habitually shy, prepare their work in most cases fairly thoroughly but find it difficult to contribute.
>
> BACHELOR OF LAWS, YEAR 1

> Shy people have problems when there are extroverts in the class: they are more easily shouted down and give way when more than one person starts speaking.
>
> COMMERCE/LAW, YEAR 3

> I think C.P. marks are very important. However it does allow a few people who are more confident than most to dominate the class.
>
> ARTS/LAW, YEAR 2

FIGURE 3 - LEVEL OF PARTICIPATION VERSUS STUDENTS' ESTIMATE OF MARKS OBTAINED

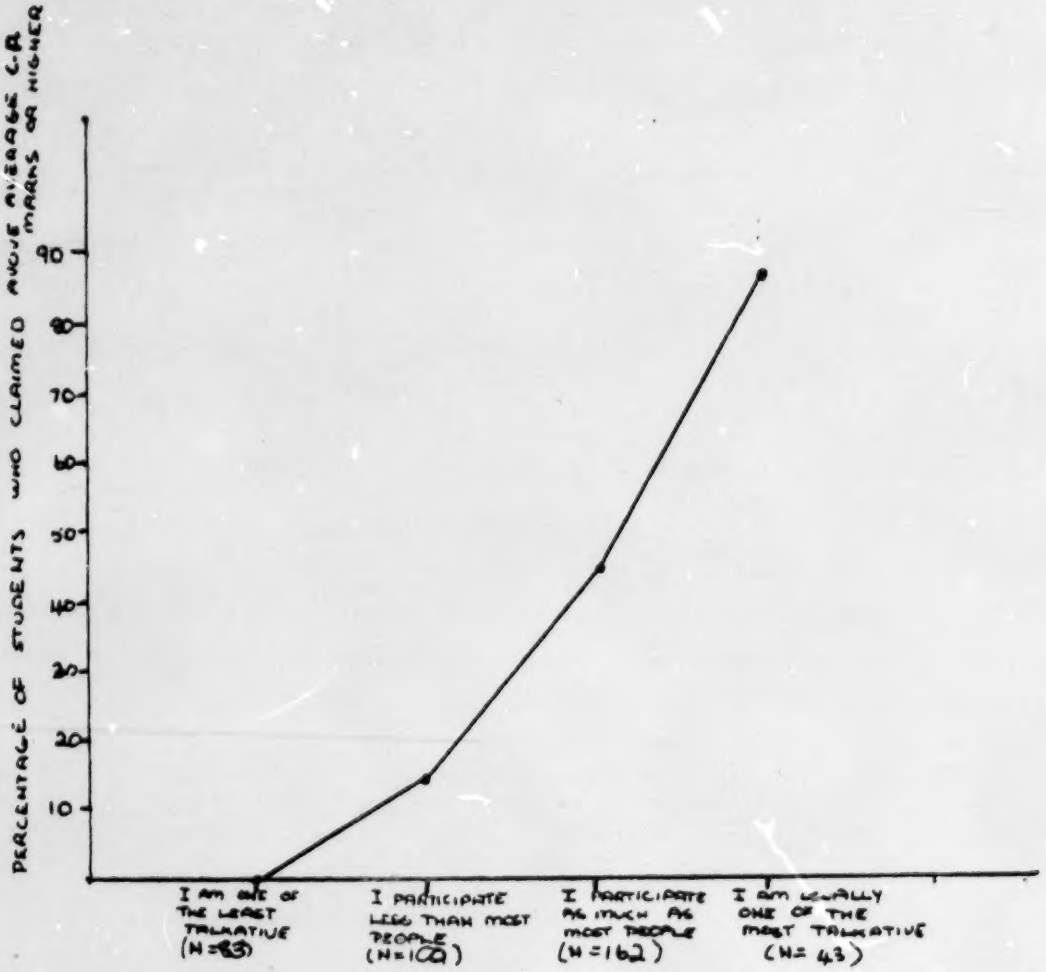
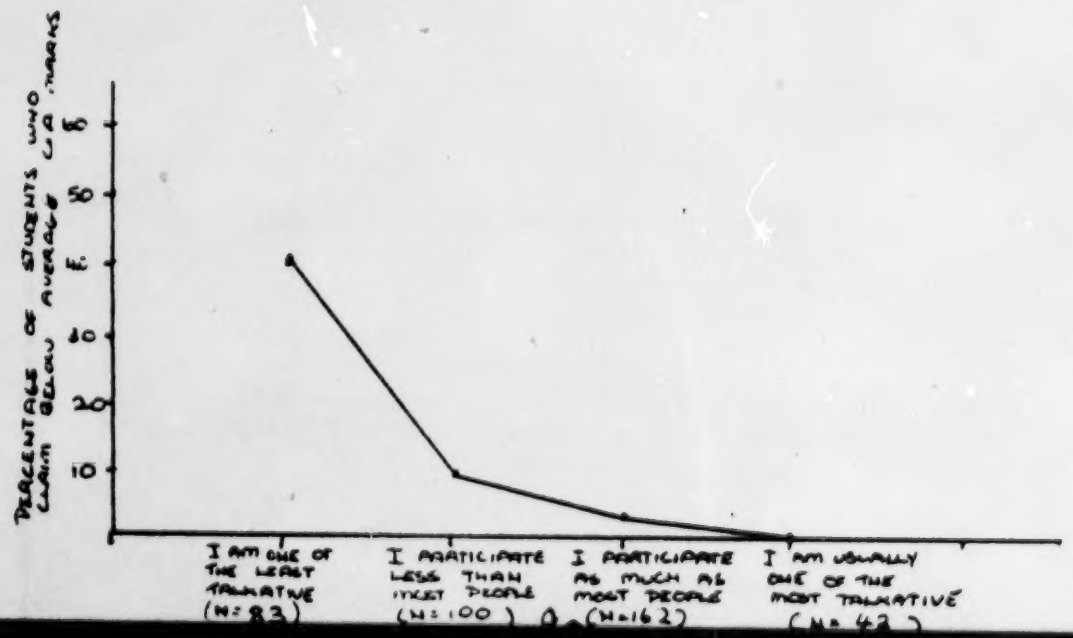


FIGURE 4 - LEVEL OF PARTICIPATION VERSUS STUDENTS' ESTIMATE OF MARKS OBTAINED


PERCENTAGE OF STUDENTS WHO CLAIM BELOW AVERAGE C.A. MARKS
60
50
40
30
20
10
I AM ONE OF THE LEAST TALKATIVE (N=83)
I PARTICIPATE LESS THAN MOST PEOPLE (N=100)
I PARTICIPATE AS MUCH AS MOST PEOPLE (N=162)
I AM USUALLY ONE OF THE MOST TALKATIVE (N=43)

III The great majority of students (90%) agreed that they should have a say in determining the method to be used in assessing C.P. This is particularly interesting when one considers that all lecturers interviewed gave students little or no say in the method of C.P. assessment.

IV Eighty percent of students would like more information about how they are going during the year with respect to C.P. It appears that students are dissatisfied with C.P. feedback. Only two of the interviewed lecturers gave their students interim marks, although the remaining nine commented that students were very welcome to come and discuss their C.P. progress. They felt that it was very difficult to formulate C.P. marks before the end of the session because it usually took them at least two or three months to obtain a satisfactory mark for each student.

V Seventy-two percent of students agreed that A.C.P. should be optional for students. The majority of these students (80%) also agreed that those who are inexperienced in public speaking are disadvantaged in C.P. assessment. This suggests that students believe that A.C.P. should be optional so that certain individuals are not disadvantaged. Students' comments also suggest this.

> I feel that C.P. marks should always be the choice of the students. Reticent or shy students who don't want to participate but who feel they are forced to because of the system are at a disadvantage.
>
> COMMERCE/LAW, YEAR 5

> I think C.P. is something which forces things out on people who have withdrawing personalities. We are all individuals and our personalities vary. Thus class participation should carry less weight or/and be optional.
>
> BACHELOR OF LAW, YEAR 1

A number commented that 'standard assessment' was undesirable and students should decide the manner and extent to which they were assessed, so that a student's personality could cope with revealing the true understanding of the material which was being assessed.

> Different students are better at different areas of assessment and a choice should be offered to enable students to be assessed according to their preferences.
>
> ARTS/LAW, YEAR 2

> The thing we don't want is everyone being assessed according to a standard 'reasonable law student'.
>
> COMMERCE/LAW, YEAR 3

Assessment should be individualised as much as possible if it can't be eliminated completely...

JURISPRUDENCE LAW, YEAR 5

One of the interviewed lecturers made A.C.P. optional for his students. It is interesting to note that only four students out of a class of 30, chose not to be assessed for class participation. This could suggest that if A.C.P. was optional then most students would want to be assessed for C.P.

VI The table below indicates that most students want 10%-30% allocated for C.P. It seems that students are in agreement with the present allocation of C.P. marks, seeing that ten of the interviewed lecturers limited their marks to this range.

Q. 26 In general, how much weight should be given to performance in class?	Percentage of Students
A. More than 50% of final mark	1.8
B. Between 30% and 50% of final mark	15.4
C. Between 10% and 30% of final mark	57.9
D. Less than 10% of final mark	23.8

As would be expected, the least talkative students and those individuals who claimed below average grades, favour fewer marks for C.P.

VII Fifty six percent of students want marks for class attendance.

Marks for class attendance is an easy way for all students to gain marks, and therefore it would be expected that equal proportions of all 'types' of students would want class attendance marks. This, however, was not the case. A large proportion of the least talkative (71%) students and those who claimed below average C.P. marks (76%) agreed that marks should be given for class attendance, while a significantly smaller proportion of those who claimed to be the most talkative members of class (30%) and those who received very high C.P. marks (36%) agreed to marks for class attendance. Presumably some students are having very little difficulty with C.P., and therefore feel that they do not need to be 'given' marks for attendance.

One should also note that the majority of the least talkative students claim that A.C.P. was a reason for their attendance at classes. It may be that students are being allocated C.P. marks for attendance.

> I have never failed class performance, even though my contribution in some classes has been minimal or nil.
>
> ARTS/LAW, YEAR 3

However, only two of the interviewed lecturers formally allocated marks for class attendance. One allocated one-third of class performance marks to attendance, the other deducted up to five marks for absences. The remaining lecturers claimed that attendance was only taken into account when a student missed a great number of classes.

DISCUSSION

In general, both staff and students agreed that class participation should be assessed. Most lecturers stated, however, that this form of assessment need not be compulsory for all courses and classes. Most claimed that assessment should be the decision of the individual lecturer or group of lecturers in the case where several members of staff were teaching the same subject. They felt that a Law School policy which decreed that C.P. be evaluated was most undesirable.

Basically most staff members wanted A.C.P. because it had a number of advantages.

1. Assessment of class participation provides the incentive for students to prepare and attend classes.

This ensures that students work continuously throughout the session, thereby discouraging end of year 'cramming' which is educationally undesirable.

It is worth noting here that the Department of English at the University of York also introduced A.C.P. into its seminars and tutorials and found that the effect of this form of assessment on seminars was entirely good.

> The work was more thoroughly prepared than ever before...the consequent high quality of the discussion led to our forgetting all about the examination. On the whole we found that the method had worked well, both as an examining technique and, more importantly, as a stimulus to study.[1]

1. R.T. Jones (1969) "Multiform Assessment: A York Experiment", Cambridge Review, 15 November, p. 43-47.

Although A.C.P. does encourage preparation for classes, one University of New South Wales law lecturer commented that there were other ways of ensuring preparation:

> ...the assignments alone are sufficient incentive for the students to prepare the materials and come to class, since the resolution of the questions asked in the assignments requires a depth of understanding of the materials which is very difficult to acquire without the benefit of class discussion.

2. It encourages participation in class.

Although staff and students agreed that A.C.P. encourages participation in class discussion they pointed out that in some cases it led to students monopolizing the discussion, and making irrelevant interjections and comments. It is therefore the responsibility of the lecturer to act as chairman, ensuring that discussion keeps to the point and is not dominated by a few individuals. At York emphasis was placed on quality rather than quantity so that irrelevant comments were discouraged.

> Any inclination some students might have had to talk excessively in the hope of scoring points soon vanished when they realised that they might well be losing marks rather than gaining them; in fact, when they all realised that nothing would gain marks except responsive contributions to relevant discussion, the discussion flourished relevantly. (1)

Stressing quality of contributions can, however, tend to limit the range of ideas which students are willing to consider:

> ...they become preoccupied with getting the "right answer" and are unwilling to explore new trains of thought because they might turn out to be "wrong" and lose marks. (2)

3. It develops oral competence.

It is often assumed that lawyers require a high level of oral competence and hence it could be suggested that this skill should be developed at Law School. Although some lecturers felt that these skills were vital to a lawyer's professional performance, others stressed that oral competence only became a significant requirement if one was admitted to the Bar.

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1. Ibid, p. 46.
2. Chisolm, op.cit., p. 19.

The results of the survey raised some interesting paradoxes and problems. The data suggest that student opinions on all aspects of A.C.P. remain remarkably stable regardless of stage of enrolment. This is a rather surprising result as one might expect that increasing familiarity with A.C.P., a more extensive knowledge of the subject matter of legal studies, and a higher level of skill in presenting and discussing arguments, would lead to a gradual reduction of anxiety and a more favourable attitude towards A.C.P. The fact that this did not occur may indicate that class performance is related to personality variables which are unlikely to be very much modified by a student's experience at the University.

4. It rewards effort.

Some lecturers believed that marks given as a result of A.C.P. provided a "reward" for the effort put into preparation for classes. An objection to such a justification is that it assumes that A.C.P. is a far more accurate measuring instrument than it is. Students pointed out that reticence and shyness often inhibited participation which in turn, prevented the acquisition of good marks. Therefore lecturers cannot always be sure of accurately appraising students' preparation.

5. It is an alternative form of assessment.

Almost half the lecturers claimed that C.P. should be assessed so as to cater for individual student differences. One lecturer illustrated this point with a reference to mature age students who he claimed were competent in oral communication but lacked confidence in literary expression due to their previous isolation from educational institutions. This seems inconsistent with the claim made by most lecturers that a positive correlation existed between A.C.P. and results of other forms of assessments. A study by Hopkins [1] however, showed that performance in discussion was not a reliable predictor of achievement in more formal assessment procedures.

Another lecturer acknowledged this contradiction when he admitted that lecturers were susceptible to forming subjective impressions of students that were largely based on personality, and the students' 'presentation of self', and that this tended to influence lecturers' attitudes to students' work, i.e., if a student creates a good impression

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1. Op.cit., p. 41.

in class, this can influence the lecturer's marking of the student's essays, assignments and examination work. A point not mentioned by the staff is the possible effect of first impressions on subsequent assessments of C.P. If a lecturer forms an early "impression" of a student then it may be difficult for this to alter in the light of subsequent contrary evidence.

There are a number of problems with A.C.P. A major difficulty is that A.C.P. is an impressionistic form of assessment. Bias can affect a lecturer's appraisal of a student, and there is no realistic way a lecturer can test the validity and reliability of his/her judgement.

It appears that some lecturers have tried to reduce the subjectivity problem by allocating the same grade to the great majority of their students. In this way the lecturer only evaluates the outstandingly good students and the obviously poor students. With this procedure the number of individual judgements is minimised. Other lecturers are lenient in their appraisal of a student's participation because of a lack of confidence in this form of assessment. This leniency probably explains why a large proportion of students claimed that A.C.P. was an easy way of gaining marks.

A major problem facing many students is anxiety due to A.C.P. Students feel forced to contribute to class discussion, but because of factors such as reticence, this is extremely difficult for many of them. This may lead to tension so that speaking in class becomes a threatening experience.

It has been suggested that public speaking courses would reduce problems of anxiety and the degree of difficulty with A.C.P. This suggestion is not supported by the results of the survey; indeed there seems to be little correlation between familiarity with the process of class participation and reduction in anxiety level. It seems that no amount of experience will alleviate the tension experienced by certain individuals.

This problem would be greatly reduced if A.C.P. were made optional for students so that shy individuals would not be disadvantaged while students who experience few difficulties with A.C.P. would still be given the opportunity to be evaluated. Those who decide not to be assessed for C.P. could be given an additional essay or assignment. If, however, A.C.P. was made optional, tension would not be eliminated because anxiety is connected with speaking in public as well as with the assessment procedure.

Results of the survey show that most students want PREP to be included in the assessment package. PREP is especially favoured among those who admitted anxiety and those who claimed to be less talkative. Evaluation of PREP would reduce the difficulties experienced by some students for it provides the student with the security of knowing that he has prepared the particular topic. It eliminates the pressures of having to enter into a 'free-form' discussion in order to make an assessable comment and it eliminates the pressures to make ill-considered contributions in order to be acknowledged as participating.

CONCLUSION

Although the assessment of class participation has a number of educational advantages, many of these can be achieved without an assessment system. Student preparation can be encouraged by devices other than A.C.P. Student participation in class will result irrespective of assessment incentives. In fact, the abolition of A.C.P. would probably remove barriers experienced by some students. Assessment of class participation does, however, measure skills and abilities that are thought to be important to a lawyer, but as was pointed out earlier, these skills are not essential for all lawyers and can be developed without an assessment system. If a student wants to become a barrister, for example, he can gain useful experience by participating in class. He does not need to be motivated by assessment devices.

There appear to be a number of problems associated with A.C.P. First, there are problems of reliability and bias due to halo effects. Of course all forms of assessment have problems associated with validity and reliability but it appears that A.C.P. is causing greater concern to lecturers than other modes of evaluation, since oral participation is strongly related to personality variables, and there is no practical way a lecturer can check his or her judgement on a student. Secondly, it appears that A.C.P. is encouraging some students to 'overparticipate', and this is resulting in a waste of valuable class time as well as reducing the number of contributions other students can make. A.C.P. also seems to be having strong negative effects on the more introverted students. Comments from students indicated that some of them were experiencing difficulties in contribution to class discussion because of factors such as shyness. Tension experienced by reticent students appears to be magnified because A.C.P. makes oral participation compulsory.

Ultimately, however, the decision whether A.C.P. should be employed will rest with the individual lecturer. As such, each lecturer should examine the aims of the particular course he or she is teaching and in the light of this the assessment procedures should be established. However, in deciding whether to use A.C.P. staff should not dismiss the possible harmful effects A.C.P. can have on class discussion in general and on individual students in particular.

APPENDIX 1

RESULTS FOR LEGAL SYSTEM,

SESSION 1, 1976

FIGURE 1 - Comparative Legal System Marks

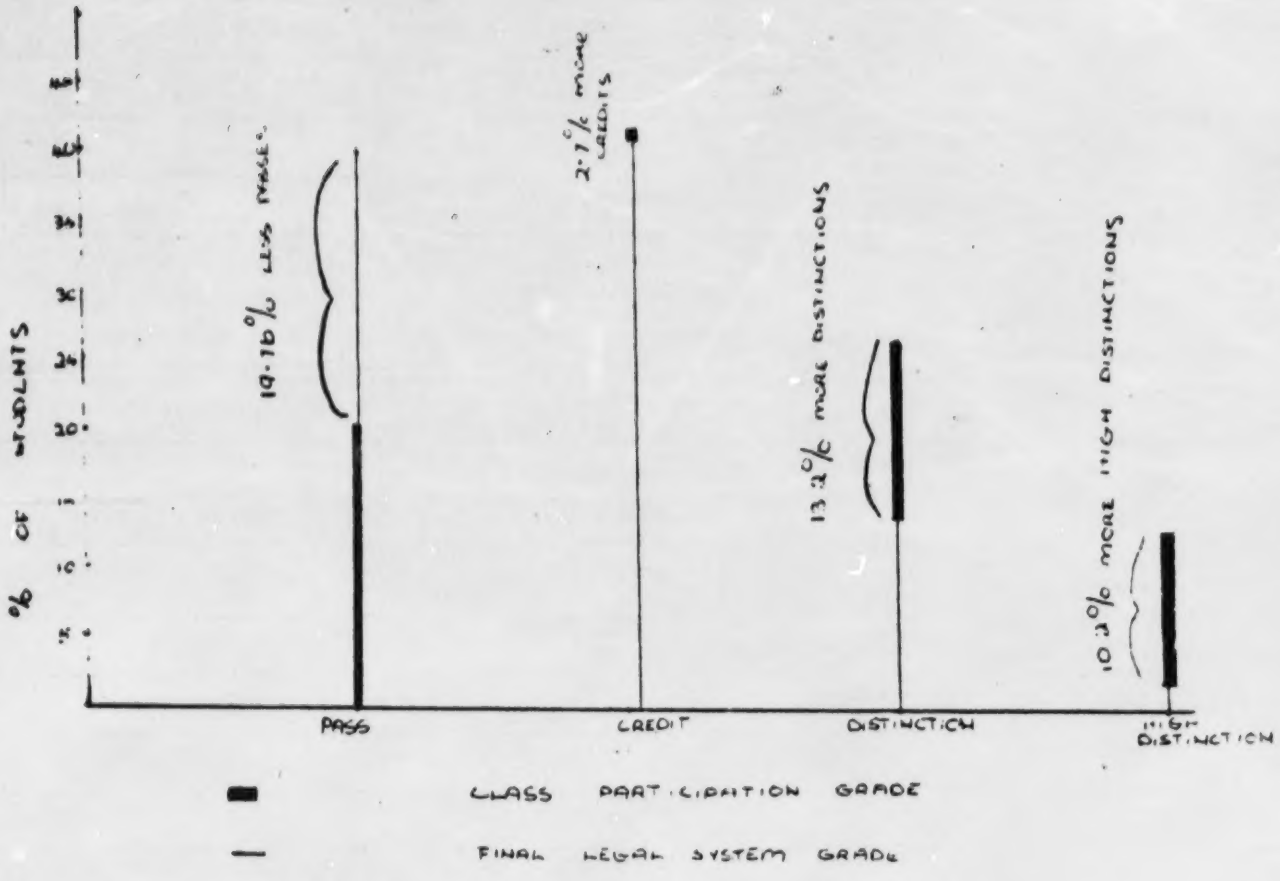

TABLE 1 - Comparative Legal System Marks

Form of Assessment	% of Passes	% of Credits	% of Distinctions	% of High Distinctions
Legal System Final *	39.5	41.7	13.2	1.8
Class Participation	19.8	42.0	26.4	12.0

* Legal System Final Mark consists of Brief $^{X}/10$, Test $^{X}/20$, Two Exercises $^{X}/50$ and Class Participation $^{X}/20$.

TABLE 2 - Class Participation and Final Legal System Results for Baker's Classes

	Class Participation	Final Legal System
Number of Passes	1	26
Number of Credits	45	36
Number of Distinctions	27	15
Number of High Distinctions	9	2
TOTAL	82	79

(X^2 = 31.9, d.f. = 3, $p < .05$, significant)

TABLE 3 - Class Participation and Final Legal System Results for Salter's Classes

	Class Participation	Final Legal System
Number of Passes	16	20
Number of Credits	15	19
Number of Distinctions	10	5
Number of High Distinctions	8	1
TOTAL	49	45

(X^2 = 8.05, d.f. = 3, $p < .05$, significant)

TABLE 4 - Class Participation and Final Legal System Results for Baldwin's Class.

	Class Participation	Final Legal System
Number of Passes	16	20
Number of Credits	10	13
Number of Distinctions	7	2
Number of High Distinctions	3	0
TOTAL	36	35

(X^2 = 6.63, d.f. = 3, $p \not< .05$, not significant)

* Fictitious names have been substituted for the lecturers' names in the Tables and text.

TABLE 5 - Mean, Variance and Standard Deviation for Class Participation for Baker's, Salter's and Baldwin's Classes.

Lecturer	Mean	Variance	Standard Deviation	Number of Students
Baker	15.0	1.8	1.3	82
Salter	14.1	5.2	2.3	49
Baldwin	13.6	3.1	1.8	36

APPENDIX II

UNIVERSITY OF NEW SOUTH WALES
TERTIARY EDUCATION RESEARCH CENTRE

ATTITUDES OF LAW STUDENTS TOWARDS
THE ASSESSMENT OF CLASS PERFORMANCE

This questionnaire seeks your opinions on the assessment of class performance.

Your answers will be anonymous, therefore do not write your name or student number on the answer sheet.

However, do complete the rest of the information - course, year, full or part time, male or female.

Please answer all questions by making a mark in pencil in the appropriate space on the answer sheet. Blacken only one space per question.

Further comments of your own will be most welcome - please write them at the end of the questionnaire, not on the answer sheet.

AUGUST 1976

1. In which course are you enrolled?

   A. Commerce/Law.
   B. Arts/Law.
   C. Jurisprudence/Law.
   D. Science/Law.
   E. Bachelor of Laws.

2. What year are you in?

   A. Year one.
   B. Year two.
   C. Year three.
   D. Year four.
   E. Year five.

3. Are you full time or part time?

   A. Full time.
   B. Part time.

4. Are you a graduate or an undergraduate?

   A. Graduate.
   B. Undergraduate.

5. Are you male or Female?

   A. male.
   B. female.

Answer questions (6) - (19) according to the code:

   A. Strongly Agree.
   B. Agree.
   C. Disagree.
   D. Strongly disagree.

6. Students who are inexperienced at public speaking are disadvantaged in being assessed for class performance.

7. There should be voluntary public speaking courses available for law students at this University.

8. Marks given for class performance are usually a fairly good indication of how a student performs in class.

9. I would like more information about how I am going during the session with respect to class performance.

10. Students should have a say in determining the method to be used in assessing class performance.

11. Assessment of class performance should be optional for students.

12. I would prefer to sit and listen, rather than participate in class discussion.

13. Assessment of class performance makes me feel anxious in class.

14. Assessment of class performance encourages participation.

15. The assessment of class performance creates an undesirable learning environment in the classroom.

16. Marks should be given for class attendance.

17. Students should be told in advance when they are going to be called upon to make a contribution which will be assessed.

18. There should be no assessment of students' performance in class.

19. The assessment of class performance provides an easy way of picking up marks.

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20. Do you attend classes because you are being assessed for class performance?

A. This is the only reason I attend classes.
B It is one of the major reasons.
C. It is a reason but not a major one.
D. It has nothing to do with my class attendance.

21. Do you ever miss classes because you have not prepared for them?

A. Often.
B. Sometimes.
C. Rarely.
D. Never.

22. I feel forced to say something during class because I am being assessed.

A. always.
B. usually.
C. sometimes.
D. never.

23. If I felt that the mark I received for class performance was unfair, I would discuss it with my lecturer.

A. always.
B. sometimes.
C. It would depend on who the lecturer was.
D. never.

24. In this question

SPON means spontaneous contribu ion to cl ss discussion.
and PREP means specially prepared c ntributio s that a stude t is calle.
upon to make after having been iven adva ce notice.

In r lation to assessment of cl ss perfor ance, which of the follow ng shou d apply.

A. ore we ghting should be gi' n to SPO than to PREP.
B. ore wei ghting should be gi' n to PRE than to SPON.
C. qual we ghting should be g ven to SP N and PREP.

25. In t e assessment of class perf mance

A. ore importance should be p' ced on t e frequency of participation ather than on its quality.

B. ore importance should be pl ced on t e quality of p rticipation ather than on its frequency
C. qual importance should be p aced on requency and q ality.

26. In gener l, how much weight shou d be given to performan e in class?

A. more than 50% of final mark.
B. between 30% and 50% of final mark.
C. between 10% and 30% of final mark.
D. less than 10% of final mark.

27. In gener l, how would you rate t e quantity of your part cipation in class di cussion compared with o her stude ts.

A. am usually one of the most talkative.
B. pa ticipate as much as mos people.
C. pa ticipate less than most people.
D. am one of the least talkat ve.

28. What were your overall results f r class p rformance for Session 1

A. My marks were very high.
B. My marks were above average.
C. My marks were average.
D. My marks were below average.
E. My marks varied too much to ive a mea ingful answer to this que tion

Please write any ad itional c mments
here and on the bac of this heet.

Thank you for your o-operati n.